

MWD  
32007

LOWERRE & FREDERICK  
ATTORNEYS AT LAW  
44 East Avenue, Suite 100  
Austin, Texas 78701  
(512) 469-6000 • (512) 482-9346 (facsimile)  
Mail@LF-LawFirm.com

January 25, 2007

OPA HR  
JAN 29 2007  
BY DM  
CHIEF CLERKS OFFICE  
JAN 26 PM 2:40  
TEXAS COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Via facsimile and first-class mail

Ms. LaDonna Castañuela  
Chief Clerk  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711

Re: **Comments and hearing request on the proposed TPDES Permit No.  
WQ0014681001, by Texas Longhorn Equities Corporation II.**

Dear Ms. Castañuela,

On behalf of Clydene Gunnerson, Lorene Green and the Ray Green Family Trust, we request a contested case hearing on the above-referenced draft permit, and offer the following initial comments on the proposed plant:

**Environmental Issues**

The discharge route is into a creek that bisects Ms. Gunnerson's property. Ms. Gunnerson currently has cattle on that property, and is concerned that the proposed inundation of the stream would make half of her property inaccessible to the cattle. Ms. Gunnerson has additional environmental concerns regarding the proposed discharge route:

- The discharge of treated wastewater in accordance with the permit may adversely affect the water quality of the receiving streams, including Quil Miller Creek and Lake Arlington.
- Has there been an analysis to determine whether the receiving stream feeds the underlying aquifer? Potential impacts on the aquifer must be considered.
- Ms. Gunnerson is concerned about additional flooding and erosion that may occur on their property with the increase in water flow. They have already experienced flooding on their property in prior heavy rains, and additional flow from the discharge could exacerbate a situation that is predisposed to flooding. The flooding will deposit contaminants on Ms. Gunnerson's property, endangering the health of persons using the property and the health of the livestock on the property.

MWD

- The site facility and discharge route is in a floodplain; it is not clear that the application acknowledges this and accounts for it appropriately in its design and operations.
- Erosion from flooding could be worsened, and it is not clear that the facility would have adequate storage of floodwaters in the event of heavy rains.
- Our clients are also concerned about the potential for wastewater upsets in the event of heavy rains, which might subsequently release polluted water into the stream that runs through their property. It is not clear that the proposed facility will have adequate emergency provisions to prevent inappropriate wastewater discharges.
- Our clients are concerned about the potential impacts on domestic and livestock, and are concerned that the proposed discharge could harm contact recreation, aquatic life use, and lower the dissolved oxygen content of the receiving streams.
- It is necessary to determine if hazardous household chemicals will be put into the water because the proposed treatment process does not remove them.
- There has not been adequate analysis of potential endangered or threatened species that may be affected by the treated effluent or by the construction of the facility.
- A study needs to be done to determine the facility's impact on migratory birds that use the receiving stream seasonally.
- It is not clear whether the facility will be staffed 24/7; without such monitoring, it is not clear that the facility will appropriately respond to emergency situations.
- The location for the effluent monitoring samples is not adequately specific. "Following the final treatment unit" is simply too vague.
- The permit should require whole effluent toxicity testing in consideration of the wildlife in the receiving streams, downstream to Lake Arlington.
- Our clients are concerned that the proposed discharge would potentially cause or contribute to an impairment of Lake Arlington, and the segments upstream therefrom, for bacteria, pathogens, e. coli., depressed dissolved oxygen, impaired fish community, impaired macrobenthos community, nitrate + nitrite nitrogen, total dissolved solids (TDS) and phosphorous.

### **Contact Recreational Use Deterioration**

- The effluent discharged from the facility will adversely impair contact use and enjoyment of the receiving stream. Although the stream is not classified, children of the families that abut the creek use it for play, and water collects downstream<sup>11</sup> of our client's properties into a small pond that is used for fishing. We believe it the stream would no longer be safe for human contact, and are concerned about the release of chlorine-resistant bacteria that could harm our client's livestock, children at play, and adversely impact the fish populations that use that stream.

### **Notice**

- Considering that the discharge will flow undiluted for a significant distance from the facility, and the point that has been labeled as the "discharge point," mailed notice should have been provided to persons further downstream of the discharge.

Specifically, mailed notice should have been provided to all persons with land adjacent to the receiving streams within one mile of the point where the effluent reaches perennial waters.

### **Odor Nuisance**

- It is expected that the facility will create an odor nuisance and greatly impair the outdoor use of property in close proximity. The proposed plant will discharge up to 45,000 gallons of effluent per day into a shallow stream that becomes more shallow during the summer and periods of minimal rainfall. It is conceivable that the discharge will be an odor nuisance to all downstream landowners that abut the receiving stream.

### **Policy of Regionalization**

- The applicant's assertion regarding regionalization efforts are inadequate. The application merely states that the applicant *predicts* that the City of Briar Oaks would refuse service to the subdivision that is the impetus for this proposed facility. The permit files do not indicate that the developer requested service from the City of Briar Oaks, nor that the City of Briar Oaks definitively refused such service. Further, at least portions of the proposed service area reside within the City of Burleson; while the application does include a letter from the City of Burleson offering no objections to the proposed wastewater treatment plant, it does not indicate that a request was made to the City of Burleson to provide service to the service area. The application form requests that correspondence with the incorporated city indicate whether the city provides "consent to provide service or denial to provide service from the city." In the event that the city does not consent to provide service, the applicant is required to "provide justification for the proposed facility and a cost analysis of expenditures that shows the cost of connecting to the city versus the cost of the proposed facility or expansion". There is no consent or denial in the application, nor is there an analysis as required by the application.
- The construction of this facility without further analysis of its need and the potential for alternative service is in direct opposition to the Texas Water Code's legislated public policy position encouraging regionalization.

### **Design Criteria**

- The applicant has not demonstrated that the proposed treatment plant will meet the applicable design criteria, including those criteria contained in 30 TAC Chapter 317.
- For example, no preliminary engineering report containing the information required by 30 TAC § 317.1(b) has been submitted. Considering the importance of the receiving waters, and the sensitive nature of their uses, the review of this information is necessary prior to a decision by the Commission on whether to issue the permit. The information in this document, as a minimum, is necessary

for the citizens to evaluate whether the proposed facility will meet all requirements and be protective of human health and the environment.

- The applicant has not presented adequate evidence of facility features and operational arrangements that would prevent the unauthorized discharge of untreated or partially treated wastewater.

**Discharge Route**

- The discharge route is also inappropriate. The receiving water is an intermittent waterway that will often contain no fluid other than the discharge from the wastewater treatment plant. The addition of a constant flow of water to an area that only experiences intermittent water flow will cause erosion damage and will pollute the areas near the receiving intermittent waterway.

For these reasons, the proposed permit should not be granted. Clydene Gunnerson, Lorene Green and the Ray Green Family Trust respectfully request a contested case hearing on each issue raised in these comments.

Sincerely,

A handwritten signature in cursive script, reading "Eric Allmon". The signature is written in dark ink and has a long, sweeping horizontal line extending to the right.

Eric Allmon

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2007 JAN 25 PM 4:52

CHIEF CLERKS OFFICE

LOWERRE &amp; FREDERICK

ATTORNEYS AT LAW

44 East Avenue, Suite 100

Austin, Texas 78701

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January 25, 2007

HR  
OPA

JAN 25 2007

BY DMVia facsimile and first-class mail

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P.O. Box 13087  
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Sincerely,



Eric Allmon



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TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

JUN 26 10 10 13

CHIEF CLERKS OFFICE

June 25, 2007

Ms. LaDonna Castañuela  
Chief Clerk  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711

Via facsimile and first-class mail

OPA

JUN 28 2007

BY

gr

Re: **Comments and hearing request on the proposed TPDES Permit No. WQ0014681001, by Texas Longhorn Equities Corporation II.**

Dear Ms. Castañuela,

On behalf of Clydene Gunnerson, Lorene Green and the Ray Green Family Trust, we reiterate the comments filed on their behalf on January 25, 2007, and request a contested case hearing on the above-referenced draft permit. Gunnerson, et. al., own property that is bisected by the discharge route chosen by Applicant. This property is within one half of a mile downstream of the proposed discharge point.

Further, Gunnerson et.al. wish to incorporate the substance of all comments submitted to the Commission on this application, and request that comments 1-29 as presented in the Executive Director's Response to Comments be referred as issues to the State Office of Administrative Hearings for a contested case hearing. The issues referred can roughly fall under the following categories:

## **Water Quality/Supply Concerns, both ground and surface**

Gunnerson et al., reiterate and incorporate comment numbers 3, 5, 7, 13, 14, 16, 17, 21, 23, 26, and dispute the Executive Director's response to said comments. Gunnerson et al., believe that TCEQ's analyses may not have been sufficiently comprehensive to ensure that operation of the proposed facility would not harm surface or groundwater supply or quality, and the applicant has not carried its burden of proof.

## **Flooding/Erosion/Siting Concerns**

Gunnerson et al, reiterate and incorporate comment numbers 1, 2, 10, 15, 16, 23, 24 and disputes the Executive Director's response to said comments. Gunnerson et al., believe that the TCEQ should have considered flooding, erosion and siting concerns when evaluating this permit, and the applicant should be required to meet applicable design

MWD

criteria prior to the issuance of the permit. Furthermore, in relation to Response 23, if effluent limits are not known at this time, the TCEQ cannot reasonably issue a permit that states that the operation will be protective of surface and ground water quality.

#### **Regionalization/Necessity Issues**

Gunnerson et al, reiterate and incorporate comment numbers 6 and 29, and dispute the Executive Director's response to said comments. The applicant has not demonstrated adequately that it has meaningfully pursued efforts to work with the City of Burleson on expanding capacity or building infrastructure to meet future needs.

#### **The Staffing/Emergency Response/Financial Stability Issues**

Gunnerson et al, reiterate and incorporate comment numbers 8, 19, 20, and disputes the Executive Director's response to said comments. The applicant has not demonstrated that staffing will be adequate, that it has an adequate plan for emergency response, or that it has the financial stability to maintain the facility in the long-term.

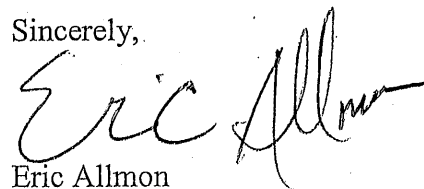
#### **Health and Safety of Humans and Wildlife**

Gunnerson et al, reiterate and incorporate comment numbers 7, 11, 16, 17, 18, 27, 28 and disputes the Executive Director's response to said comments. The application and current draft permit do not provide meaningful assurances that the facility will be operated in such a way as to avoid harming the health and safety of humans and wildlife.

#### **Disruption of use and enjoyment of Private Property**

Gunnerson et al., reiterate and incorporate comments numbers 4 and 12 and disputes the Executive Director's response to said comments. Gunnerson et al. do not believe that the protections are adequate and the remedies are sufficient.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Allmon", with a stylized flourish at the end.

Eric Allmon

cc: Robert Brush, Staff Attorney for the Executive Director  
Blas Coy, Public Interest Counsel

# LOWERRE & FREDERICK

## ATTORNEYS AT LAW

44 East Avenue, Suite 100

Austin, Texas 78701

(512) 469-6000 • (512) 482-9346 (facsimile)

Mail@LF-LawFirm.com

June 25, 2007

*Via facsimile and first-class mail*

OPA

Ms. LaDonna Castañuela

Chief Clerk

Texas Commission on Environmental Quality

P.O. Box 13087

Austin, Texas 78711

H JUN 26 2007

BY *dl*

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*MWD*  
*52007*

CHIEF CLERK'S OFFICE

JUN 25 PM 12:00

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

*MWD*

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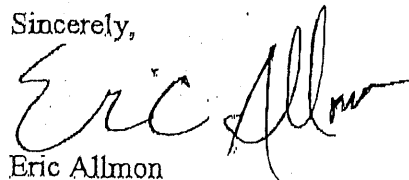
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Sincerely,



Eric Allmon

cc: Robert Brush, Staff Attorney for the Executive Director  
Blas Coy, Public Interest Counsel



Bernard G. Bowyer, Sr.  
132 Meadow Dr.  
Burleson, TX 76028

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

March 31, 2006

2006 APR -6 PM 2:23

Texas Commission on Environmental Quality  
Office of the Chief Clerk  
MC 105  
P. O. Box 13087  
Austin, Texas 78711-3087

CHIEF CLERKS OFFICE

OPA

APR 07 2006

BY

*[Signature]*

*MWJ*  
*52007*

Re: Yr ltr Feb 16<sup>th</sup> Appl for permit by Texas Longhorn Equities Corp II

Gentlemen:

0614681001

We the residents of Meadow Drive, Briaroaks, and adjacent properties request that you deny the Texas Longhorn Equities Corporation II, their application for a permit to construct a wastewater treatment facility at 121 North Briaroaks Road. Our concern lies in the fact the acreage in question is situated in a flood plane zone and that up to 45,000 gallons of wastewater will be discharged in existing creeks. In addition the impact of the amount of additional housing on that property will significantly increase the traffic congestion on Briaroaks Road and the entrance on to the service road adjacent to I-35W.

If you do not deny this application then we request you schedule a public hearing on this matter.

Thank you for your consideration.

<i>Gene Bowyer</i>	<i>132 Meadows Dr</i>	<i>Rebecca Bowyer</i>	<i>132 BRIAR OAK RD</i>
<i>Test Beckman</i>	<i>128 MEADOW DR</i>	<i>ERIC FLETCHER</i>	
<i>Beverly Beckman</i>	<i>128 Meadow Dr.</i>	<i>Charles P. Homblot</i>	<i>112 Meadow Dr.</i>
<i>Jim Sigler</i>	<i>2069 Trailwood West</i>	<i>Gamie Kellett</i>	<i>501 Ward Lane</i>
<i>Carolyn Sigler</i>	<i>2069 Trailwood West</i>	<i>Richard G. Kellett</i>	<i>501 Ward Lane</i>
<i>Joe Slusser</i>	<i>2023 Trailwood West</i>	<i>Chip Farnas</i>	<i>117 Meadow Dr.</i>
<i>Chrissann Slusser</i>	<i>2023 Trailwood West</i>	<i>Virginia Farnas</i>	
<i>Linda Popper</i>	<i>108 Meadow Dr.</i>		
<i>James McMillan</i>	<i>104 Meadow Dr.</i>		
<i>Paul D. Mialk</i>	<i>1915 TARVER RD.</i>		
<i>Frank D. Cozart</i>	<i>108 Meadow Dr.</i>		
<i>Jessie Sam</i>	<i>121 Meadow Dr.</i>		
<i>James Ham</i>	<i>124 MEADOWS DR</i>		
<i>Shel Harris</i>	<i>124 Meadows Dr.</i>		
<i>Keith Barnes</i>	<i>105 Meadow Dr.</i>		
<i>Robert Wright</i>	<i>100 meadow</i>		

May 8, 2006

OPA RFR H

MAY 15 2006

BY gj

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2006 MAY 15 AM 10:06

CHIEF CLERKS OFFICE

Office of the Chief Clerk  
MC 105  
Texas Commission on Environmental Quality  
P. O. Box 13087  
Austin, TX 78711-3087

MWD  
52007

RE: Proposed Permit No. WQ00/14681001 Texas Longhorn Equities Corporation.

Dear Chief Clerk,

The above listed permit proposes to discharge up to 45,000 gallons of wastewater per day into the unnamed tributary that crosses the northeast corner of my property located on the west service road of I-35W, otherwise known as Abstract 862, Tract 6, Oakwood Addition, Johnson County, which is now located in the city limits of Burleson, Texas.

I am writing in response to the letter that I received dated April 20, 2006. I am requesting reconsideration of the Executive Director's decision to grant a permit for a wastewater treatment facility that would discharge water into what is now basically a dry weather creek, which has no water approximately 80 percent of the time. The other 20 percent of the time it can become a raging torrent as it did on March 19, 2006 when it overflowed both the east and west service roads of I-35W and a portion of my property including the only entrance. I can provide pictures showing the extent of the flooding on my property and the I-35W service roads.

I am requesting a public hearing and protesting this permit because it would adversely affect the value of my home and property. Please put me on the mailing list for any future mailings on this permit and notify me of any hearings or TCEQ Commissioners meetings that I may attend.

Sincerely,

*Ella Dean*

Ella Dean  
1800 S Burleson Blvd.  
Burleson, TX 76028  
817-295-5506

10

# TCEQ Public Meeting Form

Thursday, January 25, 2007

1

## Texas Longhorn Equities Corporation II Proposed Water Quality TPDES Permit

No. WQ0014681001

CHIEF CLERKS OFFICE

2007 JAN 29 AM 11:42

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

PLEASE PRINT: *APR 12*

Name:

*ELLA DEAN & CARVIN PHILLIPS*

Address:

*1800 S. BURLERSON BLVD.*

City/State:

*BURLERSON TX*

Zip:

*76028-1606*

Phone:

*(817) 295-5506*



Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?

☐ Yes

☒ No

If yes, which one? \_\_\_\_\_

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW



I wish to provide formal oral comments.



I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting)

Please give this to the person at the information table. Thank you.

*mw*

November 27, 2006

Texas Commission on Environmental Quality  
TPDES permit #WQ0014581001

14681-001

RE: Texas Longhorn Equities

To Whom It May Concern.

My mother and I, trustees of the Ray Green Family Trust, strongly object to the installation of a proposed wastewater treatment plant that would discharge water on our property which is located less than a mile from the proposed plant on the east side of I35.

Since the creek that would carry the water runs through the middle of our land, it would cut off access to pasture land that is necessary for cattle grazing. It would render approximately half of our property unusable which would be devastating. We cannot approve this division of our property. The environmental impact of erosion and flooding during periods of heavy rain is unacceptable. During the 55 years of ownership we have dealt with the flooding of the lower pasture during heavy rains and can't imagine what it would be like with this added water. Standing water is a breeding ground for disease carrying mosquitoes. The drainage is not adequate to support added water as we have learned the hard way. Dealing with an act of God, as we have in the past, is one thing, but an act of man is another.

Since I just learned of the hearing, I am unable to attend. As it may become necessary for me to arrange for counsel regarding this, I am forwarding the information I just received to Burton Baker, Attorney at Law, 502 N. Ridgeway, Cleburne, Texas. He will have our Power of Attorney, if necessary, in this matter as will Letha Grace McCoy.

I would like to request a Contested Case Hearing now.

Please keep us informed, as this will receive our full attention. Completion of this project would create an irreversible negative impact on our property and cattle. We will look to you to protect our land and the environment.

Our mailing address is. Clydene Gunnerson or Lorene Green (Ray Green Family Trust)  
7425 E Mallory  
Mesa, AZ 85207

We can be reached at 480-981-1850.

Sincerely,



Clydene Gunnerson

mwd  
52007

H

OPA

NOV 28 2006

BY



CHIEF CLERK'S OFFICE

NOV 28 AM 10:59

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY



November 27, 2006

Texas Commission on Environmental Quality  
TPDES permit #WQ0014581001

14681-001

RE: Texas Longhorn Equities

To Whom It May Concern:

OPA

NOV 30 2006

BY    a   

CHIEF CLERK'S OFFICE

NOV 30 AM 10:25

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

My mother and I, trustees of the Ray Green Family Trust, strongly object to the installation of a proposed wastewater treatment plant that would discharge water on our property which is located less than a mile from the proposed plant on the east side of I35.

Since the creek that would carry the water runs through the middle of our land, it would cut off access to pasture land that is necessary for cattle grazing. It would render approximately half of our property unusable which would be devastating. We cannot approve this division of our property. The environmental impact of erosion and flooding during periods of heavy rain is unacceptable. During the 55 years of ownership we have dealt with the flooding of the lower pasture during heavy rains and can't imagine what it would be like with this added water. Standing water is a breeding ground for disease carrying mosquitoes. The drainage is not adequate to support added water as we have learned the hard way. Dealing with an act of God, as we have in the past, is one thing, but an act of man is another.

Since I just learned of the hearing, I am unable to attend. As it may become necessary for me to arrange for counsel regarding this, I am forwarding the information I just received to Burton Baker, Attorney at Law, 502 N. Ridgeway, Cleburne, Texas. He will have our Power of Attorney, if necessary, in this matter as will Letha Grace McCoy.

I would like to request a Contested Case Hearing now.

Please keep us informed, as this will receive our full attention. Completion of this project would create an irreversible negative impact on our property and cattle. We will look to you to protect our land and the environment.

Our mailing address is: Clydene Gunnerson or Lorene Green (Ray Green Family Trust)  
7425 E. Mallory  
Mesa, AZ 85207

We can be reached at 480-981-1850.

Sincerely,



Clydene Gunnerson

Handwritten initials "HCC" in the bottom right corner.

TCEQ  
Office of the Chief Clerk  
MC150, TCEQ  
P.O. Box 13087  
Austin, Texas 78711-3087

March 9, 2006

HR OPA  
MAR 17 2006  
BY DM

Ref.: Proposed Permit No. WQ0014681001  
(For Texas Longhorn Equities Corp. II )

Dear Sirs;

By this letter ~~I am requesting a public hearing~~ in reference to the above proposed permit.

There are many reasons that the application should not be approved, some of which are listed below:

- 1.) This is an approx. 30 acre proposal out of the old Mabe farm. The applicants say they will discharge 45,000 gal. of waste water per day. A one inch rain on 30 acres with houses and streets will produce approx. 814,628 gal. and not as much will be absorbed as at present.
- 2.) The area the applicant represents as a 100 year flood plain is much too narrow. I have lived close to Quill Miller Creek for 44 years (It crosses my property). During that time there has been many multi-inch rains up to as much as 9". Quill Miller Creek was approx. .2 miles wide at that time. Even with lesser amounts of rainfall there has been house flooding along the creek downstream.
- 3.) The proposed treatment plant will be discharging into the public water supply of Arlington, Texas by way of Quill Miller Creek to Village Creek to Arlington Lake.
- 4.) I know and you know that sooner than later there will be raw sewage discharged into the Creek and will end up in Lake Arlington. The smell won't be welcomed either.
- 5.) Within the area of the proposal, there are already two sources of runoff not native to Quill Miller Creek.
  - A. Runoff out of the city of Briaroaks, Texas.
  - B. Runoff from the east side of I-35W channeled under the freeway down Briaroaks Rd. to the creek.
- 6.) The last reason, and there are likely more, is that a high voltage transmission line runs thru the middle of the proposed development.

This letter is respectfully submitted by: Philip R. Pope  
116 N. Briaroaks Rd.  
Burleson, Texas 76028

*Philip R. Pope*

April 28, 2006

TCEQ  
Office of the Chief Clerk  
MC150, TCEQ  
P.O. Box 13087  
Austin, Texas 78711-3087

FOOES  
DWW

OPA

RFR

MAY 02 2006

BY AD

CHIEF CLERKS OFFICE

2006 MAY -1 PM 2:59

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Ref: Issued Permit No. WQ0014681001  
(Issued to Texas Longhorn Equities Corp. II)

Dear Sirs;

By this letter I am requesting a reconsideration of the Executive Director's decision to issue the above mentioned permit.

I am enclosing with this request additional evidence as to why this permit should not be issued:

1. A copy of the original letter of 3/9/2006.
2. A map detailing the area in question.
3. An Index of the enclosed pictures with a description of the picture location on the map.
4. Thirty-five pictures of the results of two days of rain with over 4.5" falling on 3/19/2006. The pictures are numbered to agree with the Index. Each picture is time coded.

Respectfully submitted by: Philip R. Pope  
116 N. Briaroaks Rd.  
Burleson, Texas 76028

*Philip R. Pope*

*AD*

COPY OF  
FIRST LETTER

March 9, 2006

TCEQ  
Office of the Chief Clerk  
MC150, TCEQ  
P.O. Box 13087  
Austin, Texas 78711-3087

Ref.: Proposed Permit No. WQ0014681001  
(For Texas Longhorn Equities Corp. II)

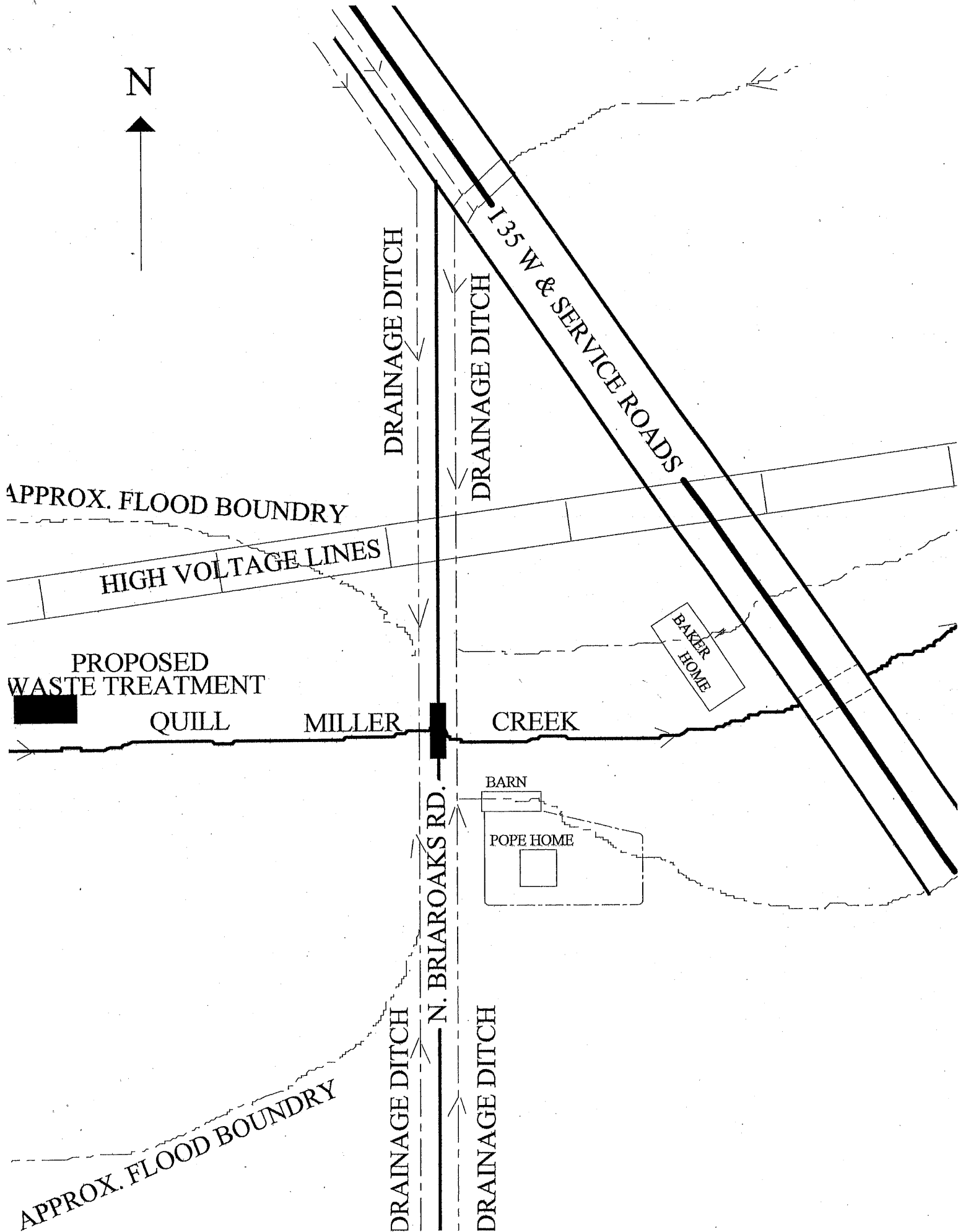
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This letter is respectfully submitted by: Philip R. Pope  
116 N. Briaroaks Rd.  
Burleson, Texas 76028

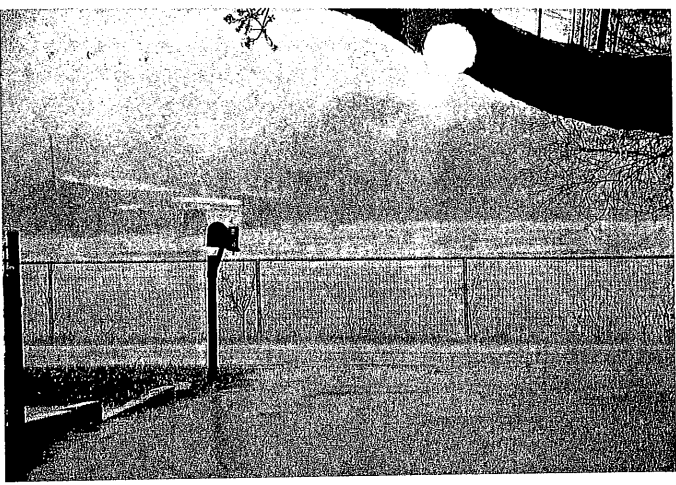


## PICTURE INDEX AND ORENTATION

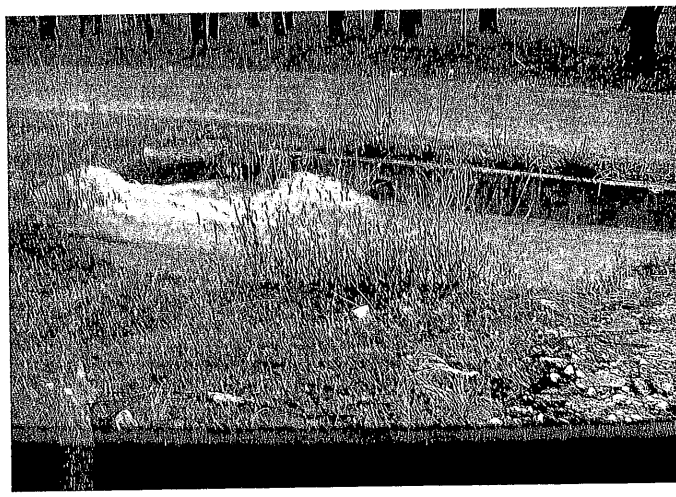
1. Looking due West from Pope home.
2. ,3 & 4. Drainage ditch at service road, East side of Briaroaks Rd.
5. & 6. Drainage ditch in front of Pope home.
7. Looking West from Pope home.
8. Looking West from Briaroaks Rd. at high voltage line poles.
9. Looking Northwest at intersection of Briaroaks Rd. & service road.
10. Drainage under I35 W from the Northeast converges with drainage between the west service road & I 35 W.
11. Looking West down Quill Miller Creek off the bridge.
12. & 13. Looking North from Pope home.
- 14.,15 & 16. Looking West off Briaroaks Rd. at the bridge.
17. & 18. Looking West off Briaroaks Rd. at high voltage line poles and the proposed location of the waste treatment plant between the poles and the creek.
19. Looking East down the creek off the bridge at a later time.
- 20.,21 & 22. Looking Northeast from Pope home, between the house & barn.
- 23.24, & 25. Looking West off the service road where Quill Miller crosses the service road & I -35 W.
26. Looking West from service road at the Baker Home.
27. Slow traffic on I-35W from water going over the highway.
28. Looking West from Pope home at a later time.
- 29.,30, & 31. Traffic running through water breaking over Briaroaks Rd. in front of Pope home.
- 32.,33, 34 & 35. Looking North & Northeast from the back porch of the Pope home.

NOTE: ALL THESE PICTURES WERE TAKEN ON 3/19/2006  
AT TIMES NOTED.

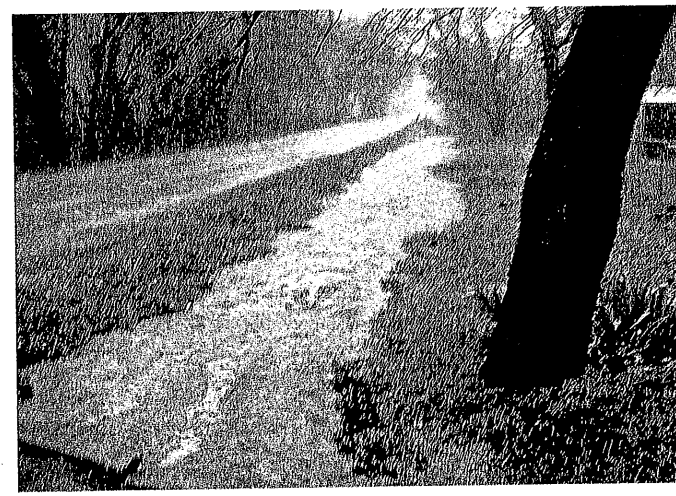
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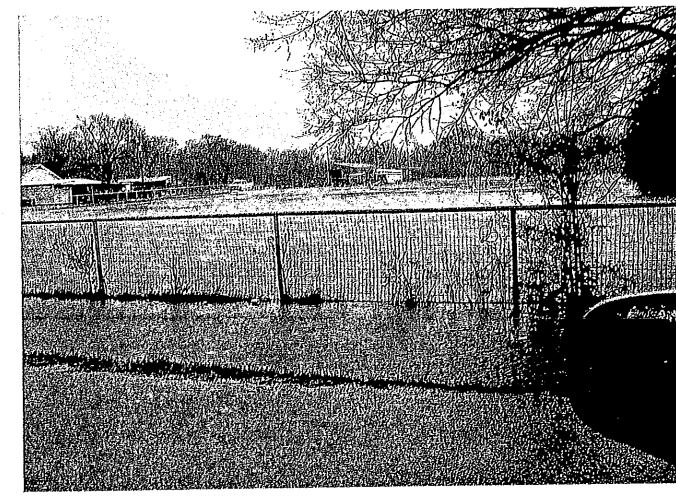
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⑤ 1:18:22 PM



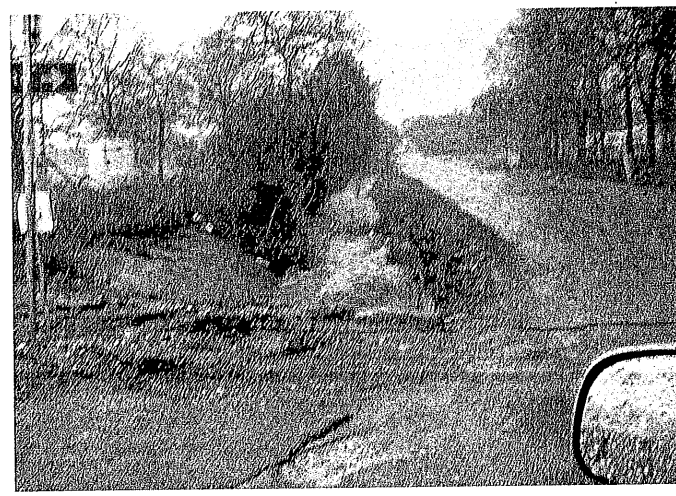
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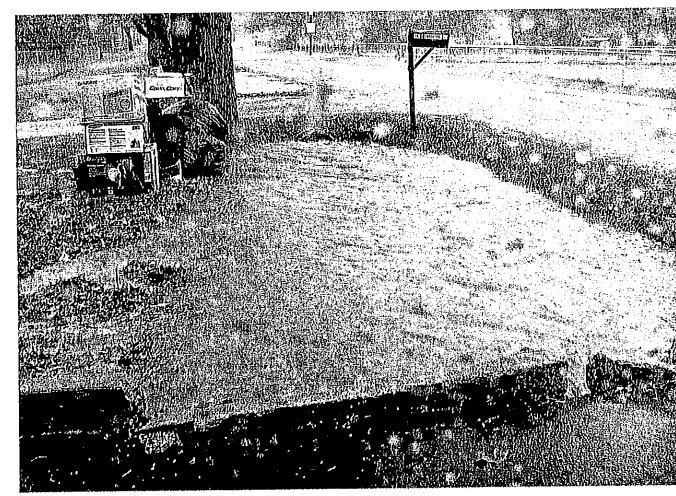
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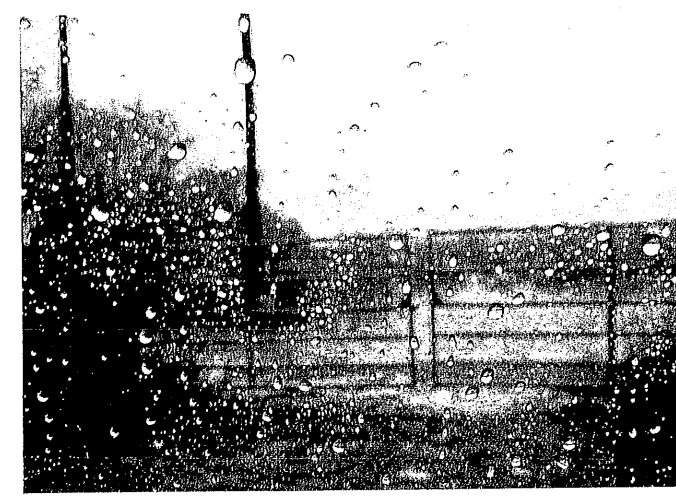
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⑥ 1:18:48 PM



⑧ 1:20:21 PM

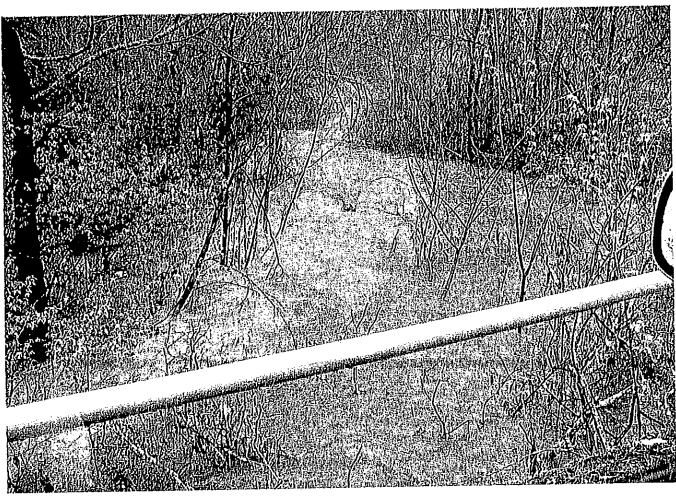




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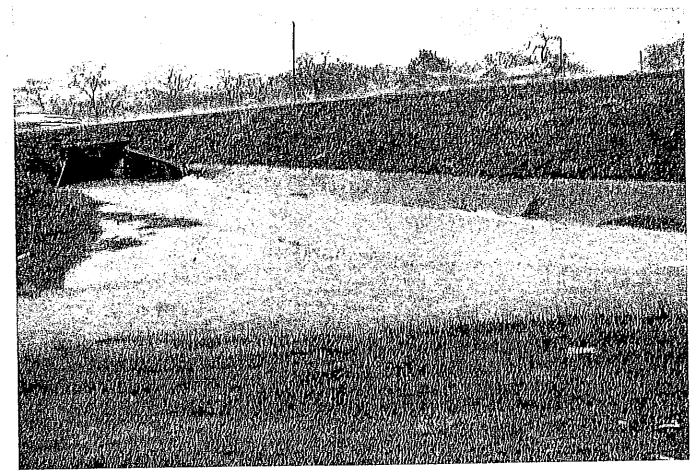
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2:10:13 PM (13)



2:13:17 PM (15)



1:22:38 PM (12)



2:10:01 PM (17)



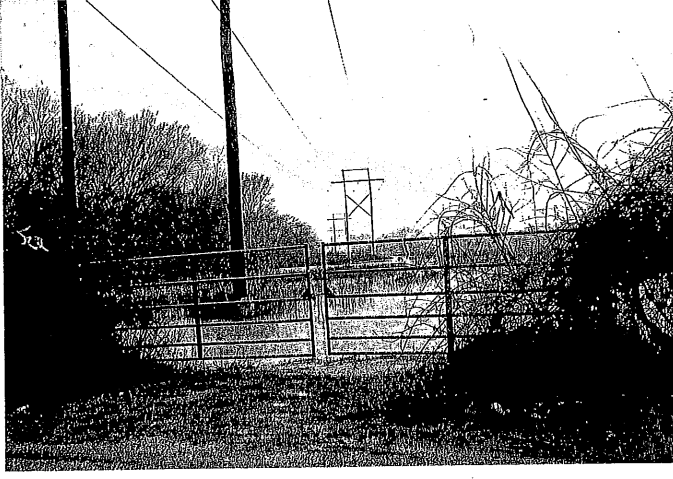
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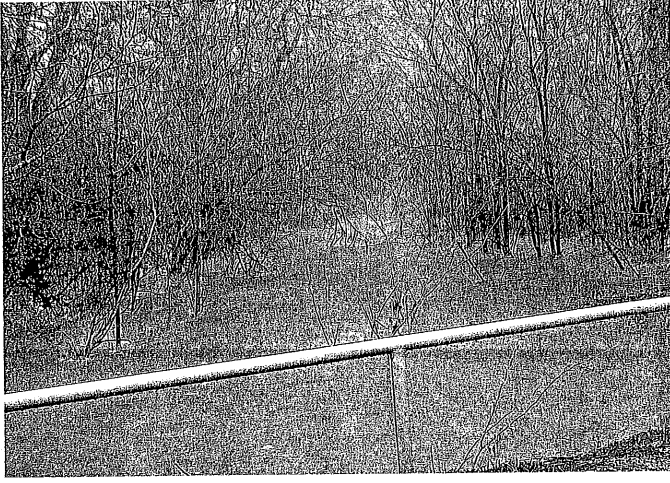
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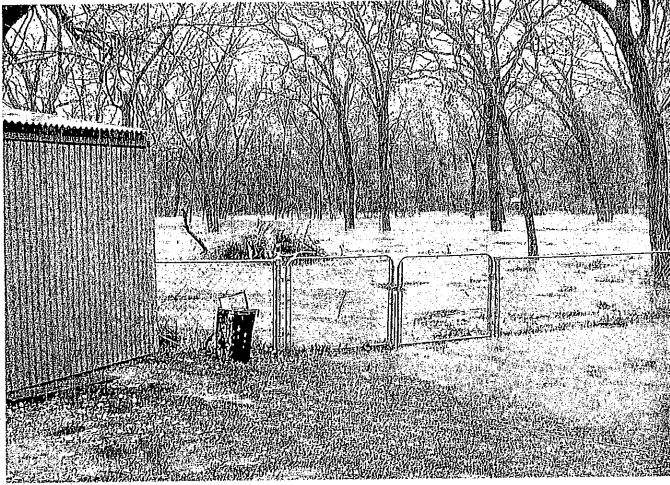
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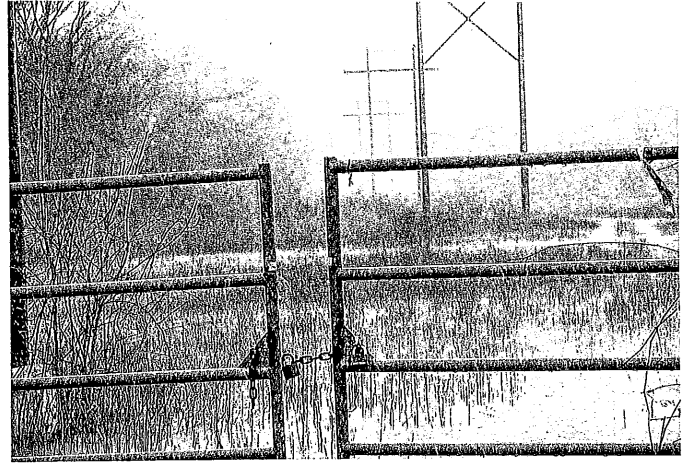
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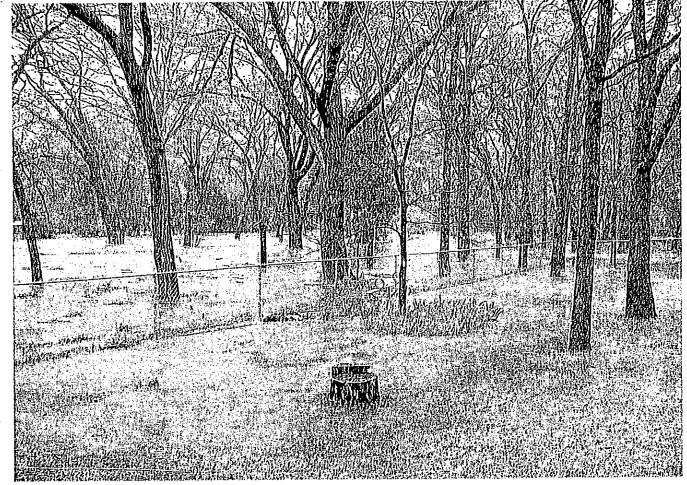
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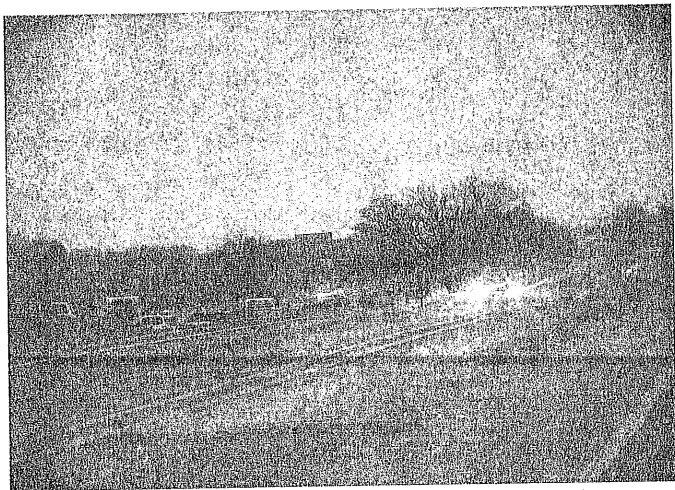


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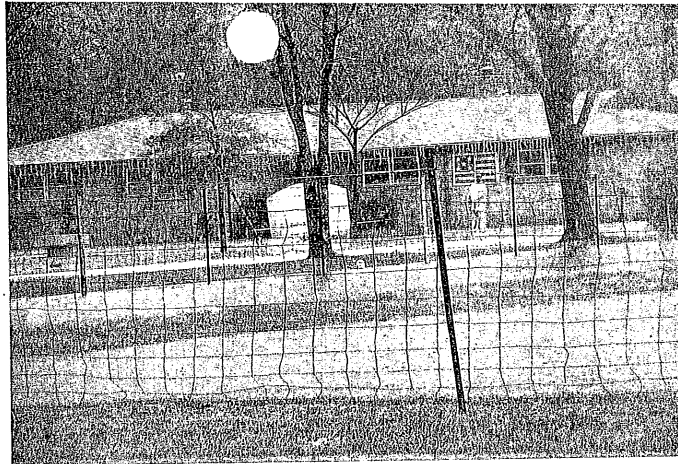
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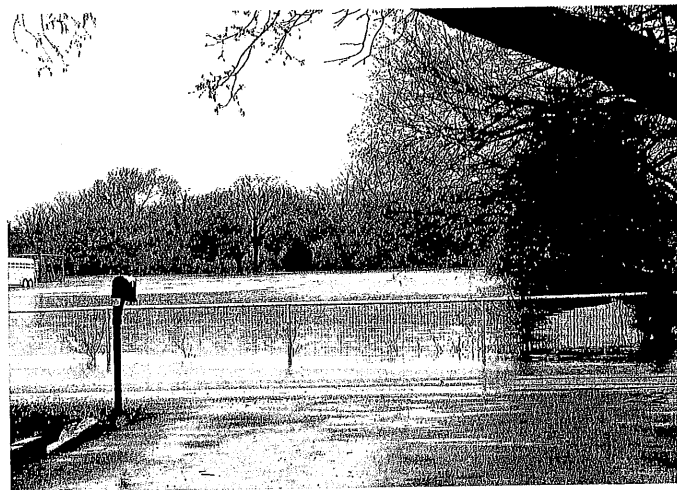
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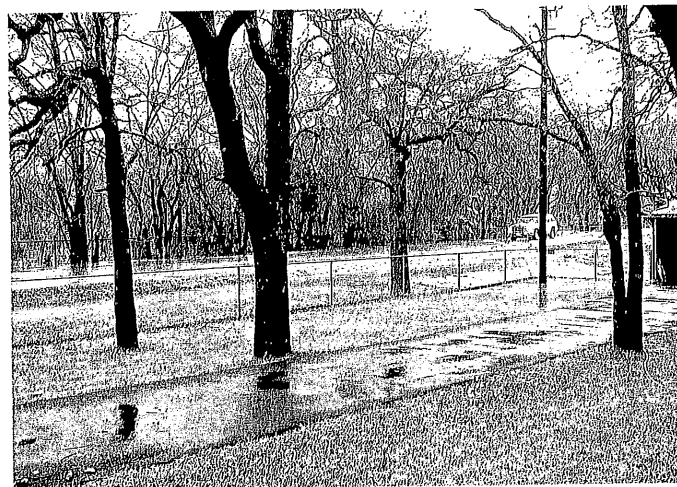
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3:03:33 PM (26)



3:12:00 PM (28)



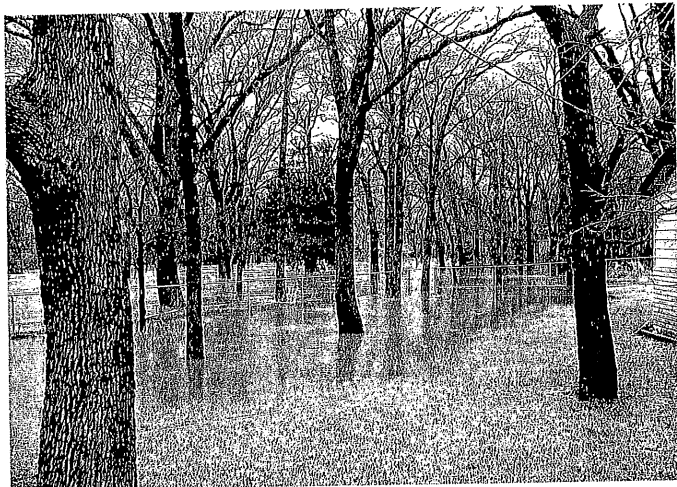
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3:21:07 PM (32)



3:21:49 PM (33)



3:32:46 PM (34)

3:33:28 PM (35)

